

REMARKS/ARGUMENTS

Summary of Office Action

In the Office Action, claims 50, 51, and 55-70 were allowed by the Examiner and claims 46, 49 and 54 were deemed allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The Examiner rejected claims 2, 4, 5, 11-15, and 42-45 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 651,660 (Green).

Claims 6-8 stand withdrawn.

Remarks Regarding Amendments

In the Claims

Rejected claims 2, 4, 5, 11-15 and 42-45, as well as withdrawn claims 6-8, have been canceled without prejudice or disclaimer.

Claims 46, 48, 50, 54 have been re-written in independent form.

Claim 52 has been amended to depend from claim 50 (as amended).

Claim 57 has been amended to eliminate re-introduction of elements recited in claim 55.

Applicant respectfully submits that no new matter has been added to the application by this amendment.

Remarks Regarding s.102(b) Rejections

Claims 2, 4, 42-45, and 52 were rejected as being anticipated by Green.

Applicant has canceled claims 2, 4, and 42-45 without prejudice or disclaimer, and submits that these rejections are now moot.

Applicant has amended claim 52 to depend from amended claim 50, and is allowable in that it depends from an allowable base claim (see below for comments regarding claim 50).

Remarks Regarding s.103(a) Rejections

Claims 5, 11-15 and 53 were rejected as being obvious in view of Green and Simon or Montenare.

Applicant has canceled claims 5 and 11-15, without prejudice or disclaimer.

Applicant submits that claim 53 depends from amended claim 52, which in turn depends from allowable claim 50, so that claim 52 is allowable in that it depends from an allowable base claim.

Remarks Regarding Allowable Subject Matter

Claim 46 was indicated as allowable if re-written in independent form, including all the limitations of former base claim 43 and intervening claims 44 and 45. Claim 46 has been amended accordingly, and is now in condition for allowance.

Claim 47 depends from claim 46, and is allowable in that it depends from an allowable base claim.

Claim 48 was indicated as allowable if re-written in independent form, including all the limitations of former base claim 43 from which it depended directly. Applicant submits that claim 48 has been amended to include the limitations of claim 48 and the relevant limitations of former claim 43. Applicant submits that the phrase "wherein the at least one attachment element comprises at least one hook member secured to the panel device and adapted to engage a support member of the vehicle" which was included in former claim 43 has been omitted in amended claim 48, in accordance with the Examiner's withdrawal of the previous indication of allowability of claim 43.

Claim 49 depends from claim 48, and is allowable in that it depends from an allowable base claim.

Claim 50 was marked "allowed", but since it also depended directly from claim 43, Applicant has interpreted this as an indication of allowability if re-written in independent form. Applicant has amended claim 50 accordingly, including the limitations of former claims 50 and 43, less the last phrase of former claim 43 (see discussion regarding claim 48, above).

Claims 51-53 depend directly or indirectly from claim 50, and are allowable in that they depend from an allowable base claim.

Claim 54 was indicated as allowable if re-written in independent form, including all the limitations of former base claim 43 and intervening claim 52. Applicant submits that amended claim 54 includes the limitations of former claims 54, 52, and 43, less the last phrase of claim 43 which has been omitted for the same reasons as in claims 50 and 48 (above).

Claims 55-70 stand allowed.

In view of all the above, Applicant respectfully submits that the claims presently on file are patentable over the prior art. Applicant submits that this is a complete response to the outstanding Examiner's communication and that this application is now in condition for allowance. A notice to that effect is respectfully solicited.

Respectfully submitted,

BENJAMIN CHLADNY

By


James A. Raakman
Reg. No. 56,624
(416) 957-1654